



## PLANNING BOARD MINUTES

June 17, 2025

C. Howard Post, Chair, opened the meeting at 7:33 p.m. Pledge

Present: C. Howard Post (Chair), Mike Tiano, Bob Hlavaty, Kevin Brady, Gina Kiniry and Brandon Schiller (alternate).

Also Present: Adriana Beltrani (Town Planner, NPV).

Absent: Carole Furman (Vice Chair) and Al Riozzi.

The draft minutes of the May 20, 2025 Planning Board meeting were reviewed. A motion was made by Tiano, seconded by Kiniry, to approve. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

### **PUBLIC HEARINGS**

**1. Major Subdivision (5-Lot), Littleton Partners LLC, Goat Hill Road.** Presented by Darrin Elsom, Kaaterskill Associates. The applicant is proposing a 5-lot major subdivision. Certified mailing receipts were received, along with the green return receipt cards, by the Planning Board Secretary prior to the opening of the public hearing.

Post opened the public hearing at 7:34 pm. Elsom gave a brief description of the proposed subdivision of the 30-acre parcel. Wetlands have been delineated. A private rural road is proposed. There is a 2021 existing Road Maintenance Agreement that was provided by the applicant's team. An erosion and sediment control plan has been submitted to the Town Engineer, awaiting updated comments. Once the comments are received the subdivision maps can be updated to reflect those required. There was no one present from the public with comments or concerns regarding the proposed subdivision. A motion was made by Tiano, seconded by Brady, to approve a negative declaration under SEQR and close the public hearing. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried. The public hearing was closed at 7:38 pm.

Elsom-once the Town Engineer's comments are received the map will be updated and submitted.

**2. Site Plan/SUP, Spiral House Park, 185 Fishcreek Road.** Presented by Kyle Bardwell (LaBella Associates) and Joshua Cohen (Spiral House Park). Also present, Patricia Livingston, previous owner of parcel and founder of Spiral House Park. The applicant is looking to open a cultural facility on the existing site of the Spiral House and open to the public. The site design has taken into consideration the community and surrounding neighbors. The Spiral House Park is a local employer with three of the current employees living in the direct vicinity of the site. The purpose will be to focus on the arts and connection to nature.

Post opened the public hearing at 7:41pm. Bardwell-the site has been updated to include items of concern like pedestrian walkways, traffic flow and overall disturbance. ADA paths have been established to features on-site. Moved the ticket booth further into the site to eliminate queuing on Fishcreek Road. The internal movement details were added regarding circulation. Propose a one way through traffic pattern, one way in and one way out. Modifications to the parking area to include wooden wheel stops and ADA accessibility.

Public Comments:

- Caryl Towner, 12 Laurel Court - live within the quarry and noise is a big concern. Noise is amplified within that quarry and all can hear that live within the area. Have read the book written by Patricia Livingston and enjoyed it very much. The proposed use seems like a smaller version of the Omega Institute in the Catskills. It will have 70 parking spaces and what will happen when host large events, will the overflow parking be on Fishcreek Road? There is a Fish and Game Club located on Fishcreek Road and there is a gun range located on site. When there is practice shooting it can be heard everywhere in the area. This is a residential area concerned with impacts on privacy, water, traffic, sewage and property values. This project will be establishing a commercial property in a sensitive part of Saugerties. Urge the applicant to consider a smaller concept. Bardwell-the applicant has taken consideration regarding noise as Spiral House Park is very aware of the sound travel because of the quarry. Configured the event space to be within a central area of the site to leave buffers to neighbouring properties. There is no pedestrian access proposed via Fishcreek Road nor parking. No construction is proposed for any new buildings. Will be operating within the existing structures. When the larger events are planned the applicant will bring in portable bathrooms and potable water. There would be no additional impact on the existing sewer or well. Cohen-Spiral House Park would like to keep the site as wild as possible with no additional structures proposed. mindful of the sound echoes. There is no removal of trees proposed. There is a contingency in the agreement with the previous owner/founder, Patricia Livingston, when the property was gifted to Spiral House Park that if they do not wish to proceed with the cultural facility the site would be gifted to a conservation organization, TBD. There is also language in the deeds and by-laws of Spiral House Park regarding conservation easements. Post-just a reminder that if the site is to be used as anything other than what this application is for they would have to come back before the Planning Board of a site plan and/or Special Use Permit amendment. At which time an additional public hearing would be required.
- Paul Poenicke, 11 South Road - Treasurer of the Saugerties Fish & Game Club (SFGC), previously mentioned by the neighbor, that is located across from the Spiral House Park. The club has been in existence for over 133 years. There are gun shots that will be heard from the shooting range. There are specified times of open range that have been configured around neighbor requests in the past. The concern is that with opening the Spiral House Park up to the public there will be more and more complaints regarding the noise from the range. We would request that the applicant let those that are visiting their site know that the Saugerties Fish & Game Club exists, which contains a gun range, and the property is private.
- Jason Adsit, 40 Valk Road - member of the Saugerties Fish and Game Club (SFGC). Clubs like ours get harassed, we would like to make it known to the new owners that we are there. Hoping that they will alert those that visit the Spiral House Park of the SFGC. Just letting them know there is a club in the area with an outdoor shooting range. In hopes that will alleviate unnecessary calls into the police regarding shooting. Patti Livingston (founder of Spiral House Park) - since I have lived at this location we have never complained about the shooting. SFGC was here long before we purchased the land and built our home. The SFGC consumes 90-acres. No intention of real hiking trails, just trails that are no longer than a mile on site. The facility is configured to be family friendly and those such events. We will always recognize the right of SFGC to exist and operate as they have for decades. Cohen-we would be open to sharing events that Spiral House Park plans with SFGC to be mindful of each other. We propose to include signage regarding park boundaries on the edge of perimeter trails.
- Mary Ann Wilson, 213 Fishcreek Road - Is there a plan to direct traffic during events? When parking is full, where will the overflow cars park, along Fishcreek Road? Bardwell-there is a one way loop around, with one entrance and one exit. Moving the ticket booth further into the property will eliminate a queue on Fishcreek Road. Utilizing the existing curb cuts and designed for best sight distance. The proposed 71 parking spots on site will be more than sufficient for the average daily use. If the parking does fill up the site will be roped off and no one else will be permitted to enter. For the larger events attendance

would be based on available parking for each. Wilson-has the fire chief been contacted? Do they have any concerns? Will there be outdoor fires or BBQs? Bardwell-the Centerville Fire Chief has been contacted and has visited the site. They have made comments that have been included in our most recent site plan. There is a small enclosed fire pit for small events. Wilson-what is the plan for storage of the flammable art supplies? Bardwell-will follow all building code requirements. Wilson-will there be security measures on site. Bardwell-there will be tickets sold for the larger events and when the property is open to the public there will be staff on-site that will watch the visitors. A management plan has been put together. Wilson-weekday events? Evenings? Cohen-putting together the event schedule. The larger events will only be on the weekends. Post-the Special Use Permit will include the hours of operations and event guidelines. Wilson-the website already states that this site is open as a public park? Cohen-that was an error on the website. It will need to be updated. Livingston-this is a public foundation. We will be looking to operate with a membership option. Cohen-still thinking through the membership structure. Wilson-how will the Special Use Permit be monitored/enforced? Post-the resolution will have a condition included that the SUP will be reviewed with the Building Department after one year to ensure there have been no issues. Any concerns or complaints regarding the site, once operating, will be addressed to the Building Department. They would then have to make a site visit and investigate the complaint.

- Brian Harmony (member of SFGC) - would like to request that the Planning Board provide some type of comment in the SUP regarding the SFGC and its operations.
- Barry Pehrsson, 213 Fishcreek Road - noise is a big issue and can meet with the applicant to possibly discuss separately. Cohen-absolutely.
- Don Santarpia, 31 Diamond Court - concerned with tax impacts on the Town. The proposed use is a non-profit that will not bring money into the Town via property taxes. No contribution to the tax burden. Another concern is the increased traffic on Fishcreek Road. Bardwell-the proposed events will bring individuals in from other Towns and they will visit Saugerties restaurants/businesses while in the area.
- Harry VanEtten, 61 Kate Yeager Road (member of SFGC)-the noise created by the shooting has been a concern for the members as the authorities have been called by the neighbors before. With additional transients visiting the area there is a concern there will be additional complaints made. The Club was founded in the late 19th Century. Just looking to ensure that it is understood that the Club has been there for generations and we have tried to accommodate the neighbors by scheduling shooting hours while taking their concerns into account.
- Joseph Cirafice, 1010 Josephs Boulevard-will there be smoking on the trails? Bardwell-no.
- Mary Mahoney, 237 Fishcreek Road-how many car lengths is the toll booth from the edge of Fishcreek Road? How far are the walking trails from neighbor's boundaries? Bardwell-the ticket booth is approximately 12 car lengths from Fishcreek Road. Cohen-there is a perimeter trail along the property boundary.

There were no additional comments/concerns presented by the public. A motion was made by Kiniry, seconded by Hlavaty, to close the public hearing. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried. The public hearing was closed at 8:40 pm.

Beltrani-the Town Engineer will take a look at the proposed site plan and supply comments to the Board. The Board has received the Ulster County Planning Board (UCPB) comments and they are in line with the Planning Board's concerns. A lighting plan is required. The Planning Board has a sense of conditions of approval that would be required, like hours of operations and frequency of events. The Board would like to look at the Events Management Plan. Many of the comments from the UCPB should be addressed in that plan. Bardwell-will update the Event Management Plan. Would like to work on a draft resolution to include items like the emergency event plan and use of existing lodging and events requirements. Beltrani-there is an existing parking area that may not meet the 100' buffer requirement from adjoining neighbors but the property in which it is closed to is the Livingston parcel. There is rationale to waive that requirement or acknowledge that the buffer

requirement does not apply as this is an existing parking area. There are several items that need to be cleaned up on the site plan. The use of shuttles is not permitted and will be included as a condition of the SUP. Bardwell-hoping to get approval of the negative declaration. Post-the Board would like to wait for the comments from the Town Engineer before moving forward with SEQR. Hlavaty-looking for a sight distance analysis from the entrance and exit as this is changed from a residential to a commercial use. Would like to review the Event Management Plan.

Post-the Board will forward the plan to the Town Engineer for review and hopefully be able to move forward with SEQR at the July 15, 2025 meeting. Schiller-it would be beneficial if the Board would be able to implement acknowledgement of the SFGC within the SUP. Some of the events that the proposed cultural facility is offering seems to conflict with an operating gun range. Cohen-not opposed to putting something in writing that acknowledges the use of the SFGC. Post-we can ask the Planning Board attorney what we are authorized to follow up with.

No further action can be taken at this time.

### **OLD BUSINESS**

**1. Minor Subdivision, Amanda Esposito & Sean Hammond, 43 York Street.** Presented by the applicants, Amanda Esposito and Sean Hammond. The applicant is currently in front of the Zoning Board of Appeals and is required for a bulk area variance. The ZBA public hearing will be held next month and the applicant is requesting that the Planning Board public hearing be postponed until the July 15, 2025 Planning Board meeting in hopes that they will have a ZBA decision by then. The updated subdivision shows that the bulk area variance that will be needed is 1,371 square feet.

A motion was made by Kiniry, seconded by Tiano, to postpone the public hearing until the July 15, 2025 monthly Planning Board meeting. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

**2. Cellco Partnership d/b/a Verizon Wireless, Site Plan/SUP (Cell Tower), 417 Washington Avenue Ext.** Presented by James LaValle, Young/Somer LLC. The applicant is proposing a cell tower on property owned by the Town of Saugerties and located at 417 Washington Avenue Extension. The balloon test was noticed and completed. The engineers were present at the balloon test and the winds were no more than 6 miles per hour. There 1-2 simulations done with each location of the balloon visibility. The balloon test results were submitted to the Board. Tiano-does the applicant have any plans to extend the tower over the 80' threshold being proposed? LaValle-no, at this time there are no plans to extend the height. The site was picked for a specific reason to help and eliminate loss of coverage in that area of Cantine Field and beyond. Post-the Planning Board can add a note in the resolution that if the applicant plans to extend the tower by any amount they would have to come back for an amendment.

LaValle-we would like to move forward to schedule a public hearing at this time. A motion was made by Brady, seconded by Tiano, to schedule the public hearing for the July 15, 2025 monthly Planning Board meeting. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

### **PRE-HEARING CONFERENCE**

**1. Lot Line Revision, Ronald Fischer, 30 & 32 Fortune Valley Lane.** Presented by Bruce Utter, Praetorius & Conrad, P.C. Also present was George Williams, Praetorius & Conrad, P.C. The applicant is proposing to transfer land to move the driveway completely onto Lot 4 and that owner would take responsibility for the maintenance of the road. There is a utility easement to Lot 3. Beltrani-straight forward lot line revision. The Planning Board can go ahead and waive the sketch plan approval and public hearing. The symbology of the ROW and lot line to be updated so that is more clearly depicted.



A motion was made by Hlavaty, seconded by Brady, to waive sketch plan approval, waive the public hearing and approve the lot line revision as proposed. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

**2. Minor Subdivision (2-Lot), Peter Larson, 1058 Churchland Lane.** Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant is proposing a 2 lot subdivision on the 37-acre parcel to deed 4-acres to his son and wife so they can build a single family residence. There is an existing 50' ROW to the adjacent lot, owned by the Bach family. The applicant proposes to develop the existing driveway into a private rural road to access the two homes with a "T" turnaround. Bach has been notified and will allow the ROW onto their land for the "T" turnaround. The Chief of Centerville has been to the site and has agreed the 14' travel lane is adequate. Refer to the Town Engineer to waive the Ag District on the adjacent property. SHPO was notified via the CRIS system and a response was received with no impact. However, if the project changes they are to be notified again. There are floodplains located on the parcel but no development is proposed in that area or near that area.

Beltrani-there seem to be some existing encroachments from the Bach property onto the Larson property that should be discussed between the two. The Planning Board can move forward with scheduling a public hearing.

A motion was made by Hlavaty, seconded by Tiano, to set the public hearing for the July 15, 2025 monthly Planning Board meeting. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

**3. Lot Line Revisions, Thomas Resso, 2038 & 2042 Route 32.** Presented by Mike Vetere III, Vetere Land Surveying, PLLC. The applicant is proposing to reconfigure the lot lines of three adjoining parcels, ultimately adding acreage from Lot 1 and Lot 3 to Lot 2, making it larger. There is a proposed easement for water/sewer access to Lot 3. Lot 2 has existing water/sewer easement. All lots are oversized for the zoning district. Beltrani-the setbacks need to be shown on Lot 3 to show that it is developable. There is a pre-existing non-confirming setback on Lot 1 but the setback needs to be shown. The Planning Board can vote to waive sketch plan approval and waive a public hearing with a supermajority.

A motion was made by Tiano, seconded by Hlavaty, to waive sketch plan approval, waive the public hearing and approve the lot line revision with the addition of setbacks being added to Lot 1 and Lot 3 on the final plat before the Planning Board can provide signatures. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried by supermajority.

**4. Site Plan, Deck Extension, 56 River Road.** Presented by John Reidy, Contractor. The applicant is looking to extend an existing deck to meet the edge of the existing building. In front of the Planning Board because the parcel is located within the Waterfront Overlay. There are existing non-conforming encroachments that will not be increased. Only looking to extend to the building line. Beltrani-this is a Type II Action and the applicant is only here because of the WO.

A motion was made by Tiano, seconded by Kiniry, to approve the deck extension. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

**5. Major Subdivision (5-Lot), Jay & Laura DeVore, 736 & 738 Manorville Road.** Presented by Khattar Elmassalemah, Praetorius and Conrad, P.C. Also present were the owners, Jay and Laura DeVore. The applicant is requesting to subdivide 2 lots consisting of 60 acres into 5 parcels. Each parcel would contain a main residence and one or two accessory dwelling units, to be used as short term rentals. Proposing low impact housing. Creating a series of shared drives. One to three lots and the other to two lots. Each parcel would use a shared septic. There are wetlands, started the NYSDEC jurisdictional determination process. Assuming the

wetlands are within the NYSDEC jurisdiction the applicant has provided the 100' buffer around the wetlands on site.

Post-concerns with this approach to subdividing and creating short term rentals. The information was forwarded to both the Town and the Planning Board attorney and it was agreed that this is being done to circumvent the zoning requirements and creating these kinds of parcels with the proposed structures is not what the STR law was created for. Beltrani-this is being presented as 12 STR cabins, basically. STR approvals are not within the Planning Board's jurisdiction, that is done within the Building Department. The Town is likely adopting the proposed Lodging & Events regulations within the next few months. This proposal would fall into the "Rural Resort" classification and would require site plan approval and a special use permit. Following the zoning ensures that a commercial use is appropriately classified, especially within a residential area. Doing it this way would circumvent the health, safety and wellness considerations that are reviewed with a site plan and special use permit. Both the attorneys feel that this is not an appropriate use of the STR law. Weaver-the STR law does only allow one accessory unit per lot. The whole set of structures on one parcel could only be rented to one group of individuals at a time with no more than 10 renters onsite at one time. Elmassalemah-the applicant could do the five lot subdivision with one single family residence and one accessory unit and fall under the STR law. Beltrani-knowing what the overall plan is for the subdivision does not fall within the planned use of the STR law. The Planning Board may have a hard time treating this as a single family subdivision knowing the proposed use of the parcels being created. The way it is proposed is multi-use. This would be a commonly owned subdivision with cross access and maintenance agreements. An HOA would be required for the shared space. There are many legal concerns/questions to be considered. The STR would not be transferable if the applicant sold the parcels. They have to be renewed annually. Again, the proposed use fits into the rural resort that is currently being reviewed by the Town Board in hopes of approval within the next few months. The Department of Health would need to provide input about the structures and their proposed uses. Water and wastewater management needs to be addressed. With a rural resort that is part of the initial review for the site plan and SUP. Considerations of public health/safety are reviewed. If proceeding with STRs a well water quality test is required. Considerations of the wastewater management plan for 12 units. Elmassalemah-the applicant would like to keep the proposed use as low key as possible and scatter the structures. Proposed this way as it does not fit into the campground definition under the current zoning law. Beltrani-the Planning Board has to review the impacts on the community and the ripple effects of such a project as proposed. The effects on water and wastewater regulation. The Town Board requested the rural resort being added to the proposed zoning to address projects like this. It will allow the Planning Board to review for the appropriate use. Proposing a subdivision does not follow the Town Board's purpose of the STR law. Kiniry-seems as though the proposed use fits better under the rural resort and the applicant should wait for the zoning to be approved. Elmassalemah-if the applicant comes back as a rural resort it will make the parcel commercial not residential. Tiano-any thoughts on joining the two proposed roads together to make a loop for easier access. Elmassalemah-the topography does not allow that. There is a 20' drop in elevation between the two proposed roads. Weaver-there needs to be driveways to each house/structure for emergency access, within 150' of any structure. DeVore-presenting as a rural resort will require a SWPPP, correct? We do not need one right now as we are under the 5-acre threshold for a subdivision. That is the primary hurdle in moving to the rural resort. We are proposing a very low impact Eco Resort. Elmassalemah-will go back with the applicants and discuss how they would like to proceed.

No further action can be taken by the Planning Board at this time. The Board feels that this should be looked at as a rural resort and reviewed as such.

### **ADDITIONAL ITEMS**

**1. Major Subdivision (5-Lot), Gelb/Hill, 269 Wilhelm Road.** The major subdivision was approved back in March 2022 and the applicant has since received two extensions, 1-year each. At this time the second extension expired on May 21, 2025 with no correspondence from the applicant. When contacted the applicant stated they would like an additional extension. A discussion followed by the Planning Board. It was determined that one

additional extension can be granted, for 90-days, after which the conditional approval will become null and void if no additional action has been taken by the applicant. At which time the applicant can re-submit and use the information already reviewed to help move that process forward more efficiently. A motion was made by Hlavaty, seconded by Brady, to grant the 90-day extension after which the conditional approval will become null and void if no additional action is taken by the applicant. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion Carried. The extension will expire on September 15, 2025.

**2. Catskill Cell Tower.** The Planning Board was notified that a cell tower is proposed on property located close to the Town of Saugerties border. The Board discussed the location and if there were any impacts that should be addressed. At this point the letter was just a notification of an application that has been submitted to the Town of Catskill Planning Board. No further action can be taken at this time.

### **ADJOURNMENT**

Since there was no further business to discuss, a motion was made by Tiano, seconded by Schiller, to adjourn the meeting. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye, Schiller-Aye. Motion carried.

The meeting was closed at 10:13 pm.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary